

**Virginia Land Conservation Foundation  
Board of Trustees Meeting  
Wednesday, January 7, 2009 – 10:00 a.m.  
East Reading Room, Patrick Henry Building, Richmond**

**Virginia Land Conservation Foundation Board of Trustees**

Chairman: Honorable L. Preston Bryant, Jr., Secretary of Natural Resources

Vice Chair: Honorable Patricia S. Ticer

Honorable Robert S. Bloxom

Nancy T. Bowles

Alexandra Liddy Bourne

Margaret Davis

William C. Dickinson

Wendell P. Ennis

Mary Bruce Glaize

Thomas B. Graham

L. Clifford Schroeder, Sr.

Albert C. Weed, II

Joseph H. Maroon, Director, Department of Conservation and Recreation

**Virginia Land Conservation Foundation Members Not Present**

Honorable R. Creigh Deeds

Bonnie Moorman

Lou Giusto

Mary Helen Morgan

**State Agency Staff Present**

John R. Davy, DCR

David C. Dowling, DCR

Rob Farrell, VDOP

Michael R. Fletcher, DCR

Diane Dunaway, DCR

Sarah Richardson, DCR

Kevin Schmidt, VDACS

Thomas Smith, DCR

Jeremy Stone, DCR

Elizabeth Tune, DHR

Larry Hart, DGIF

Deb Van Duzee, DGIF

Becky Gwynn, DGIF

David Whitehurst, DGIF

Synthia Waymack, DCR

**Others Present**

Irvin S. Herr, MD, Shenandoah Valley Battlefields Foundation  
Patrick Chase Milner, Shenandoah Valley Battlefields Foundation  
Elizabeth Paradis Stern, Shenandoah Valley Battlefields Foundation  
Paul Gilbert, NVRPA  
Mike Nardolilli, NVCT  
Phil Hocker, Virginia Conservation Credit Pool, LLC  
Lindsay Reams, Virginia Farm Bureau  
Andrew Stout, Archaeological Conservancy  
Tim Ulsaker, Mathews County Land Conservancy  
Mimi Ulsaker, Mathews County Land Conservancy  
Laura Belleville, Appalachian Trail Conservancy  
Ray Pickering, Fauquier County PDR  
Mike Golden, Chesterfield County Parks & Recreation  
Brian Solis, Virginia Beach Parks and Recreation  
Phil Sheridan, Meadowview Biological Research Station  
Bob Lee, Virginia Outdoors Foundation  
Jenny West, Wildlife Foundation of Virginia  
Andy Lacatell, The Nature Conservancy

### **Call to Order and Introductions**

Secretary Bryant called the meeting to order at 10:16 a.m. There was not yet a quorum. He asked members and guests present to introduce themselves.

Secretary Bryant said that it was going to be a tough budget year as the Commonwealth was facing a \$ 3 billion shortfall. He said that the Governor had been working to balance the budget. In so doing the Governor had to make cuts he would otherwise not prefer to do. He said that Medicaid, Higher Education, Secondary Education and VDOT were all facing cuts. He said that, to put things in perspective, Governor Kaine has not had a single good budget year.

Secretary Bryant said that, when Governor Kaine was elected, he wanted to concentrate in four areas: Transportation, Health Care, Secondary Education and the Environment. Governor Kaine was the first Governor to make the Environment one of his four priorities.

Secretary Bryant said that for 2009 the Governor has embarked on a policy path referred to as "Renew Virginia." This will be a focus in every news release and publication.

Secretary Bryant noted that the Governor's proposed budget cuts did not currently impact the VLCF. He noted that the last few years had shown record appropriations for Agricultural Best Management Practices. He said one of the most difficult decisions was to look at the land preservation tax credit and to make revisions to it as a budget strategy. The Governor and Speaker Howell worked together on the plan. The \$100,000 maximum annual credit was cut in half, but the length of time to claim this credit was extended. The Department of Taxation believes this will result in significant savings.

At that time Mr. Ennis arrived and a quorum was declared present.

Secretary Bryant said the Commonwealth was at roughly 280,000 acres towards the Governor's 400,000 acre land preservation goal. He said that the expectation was that the goal would be met and exceeded by the end of the Governor's term. He said that the goal was extraordinary considering the current budget situation.

Secretary Bryant said that work was still being done on the \$30 million bond initiative for conservation.

### **Executive Secretary's Report**

Mr. Maroon gave the Executive Secretary's report.

Mr. Maroon said that with regard to the Governor's biennial budget no cuts to the VLCF were proposed. He said that left the VLCF \$2 million for each of the next two years.

Mr. Maroon said that essentially, every part of state government is affected by the proposed cuts. For example, the Governor's December budget proposal would cut funding to DCR by nearly 11 ½ % and the Virginia Outdoors Foundation by \$102,500, a 5 percent cut in VOF's budget for FY 2010.

Mr. Maroon said that this might be the first time in the history of the Commonwealth that agencies were not offered the opportunity to submit budget requests. Very few programs received additional funding. For all of the Natural Resources Secretariat, there was only one new request. The Governor proposed level funding of \$20 million (\$10 M of which is in General Funds) to keep the Agricultural Cost Share BMP Program going, as this program will run out of money on June 30 unless the Governor and General Assembly agree.

Mr. Maroon said that the hope was that by the end of the day the Board could obligate all the money given to VLCF. All grants will be predicated on that funding remaining in place.

Mr. Maroon said that a handout in member packets addressed in more detail what the Governor had proposed with regard to the land preservation tax credit. A copy of that handout is available from DCR.

### ***2009 Legislation***

Mr. Maroon reviewed SB 838 as proposed.

**SB 838 – Land preservation tax credit; conveyance for public parks or public recreational facilities.** (Patron – Senator Ticer) This bill has been pre-filed. Provides that the land preservation tax credit would equal 60 percent of the fair market value of any land that is donated to a state or local governmental entity for the purpose of a public park or public recreational facility. The 60 percent tax credit would apply only if (i) the responsible authorities of a park authority or local park agency or the Department of Conservation and Recreation execute a written document stating its acceptance of the donation, and (ii) the conveyance is in accordance with the current comprehensive plans of the counties or cities in which the donated land is located. All other donations under the land preservation tax credit would not be affected by the bill and would be eligible for a 40 percent tax credit as provided under current law.

Mr. Maroon addressed the LPC Review Criteria amendment process.

At the August 7, 2008 Board meeting, the Board approved clarifying amendments to the criteria that basically incorporated guidance decisions made by DCR over the first year of the review program.

At staff's request, the Board also recognized that additional changes to the criteria might be warranted and charged DCR with assembling a stakeholders' committee to discuss additional clarifications and modifications to the criteria that would benefit from group discussions.

- On August 14, 2009, an announcement was sent out to solicit public comment on the criteria. The announcement was posted on the DCR/OLC website and emailed to the Virginia's United Land Trusts (VaULT) Yahoo group, the Purchase of Development Rights (PDR) managers' Google group, the VLCF interagency taskforce, all known LPC tax-credit brokers, and individuals who had sent in public comments when the criteria were first developed.
- By the deadline on September 1, 2008, 11 comments were received. DCR staff compiled the comments and produced a discussion draft for the stakeholders' group meetings.
- The stakeholders' group met twice, on October 27 and November 17, 2008.
- A revised draft developed in response to the group's comments was posted on the DCR website for public comments on November 26, and an announcement was sent out to the list above asking for comments by Dec. 23.
- Before the deadline, on Dec. 19, it became clear that DCR needed more time to consider the second round of comments, especially given the holidays and a number of additional year-end responsibilities (such as completing a large number of land preservation tax credit reviews). The public comment period was extended to January 20.
- The plan is to bring any recommended changes to the Board for consideration at the next meeting, tentatively scheduled for March.
- Key issues addressed by stakeholders:
  - A number of comments concerned Section B, Public Benefit. One issue is whether the criteria should require numeric guidelines for permitted divisions of a property, and another is whether there should be a percentage cap on impervious surfaces in the deed of easement.
  - Many comments were aimed at Section C, General Water Quality and Forest Management, particularly as to activities to be prohibited or restricted within the required 35' buffer. The existence of lawns and prohibitions on livestock grazing in the buffer have been issues meriting further consideration and discussion.

#### *Northern Virginia military discussions*

Mr. Maroon said that in 2008, on behalf of the Department of Conservation and Recreation, he began facilitating meetings of representatives from three military bases (Marine Corps Base Quantico, Fort A.P. Hill, and Naval Surface Warfare Center Dahlgren), several surrounding counties, and nonprofit conservation organizations that work in the Northern Virginia region. In the three meetings held during 2008, participants began exploring ways to find common interests that would enable the bases, localities, and organizations to work together in protecting compatible buffer lands around the various bases in the northeastern quadrant of Virginia. As a result of these productive discussions, the Northern

Virginia Regional Land Conservation Forum will continue into 2009. There is a prospect for protecting more land that would both benefit the Commonwealth and the nearby military installations.

Mr. Maroon said that member's packets included background information on the conservation databases and mapping tools that DCR has been producing to assist VLCF and the conservation community. Questions should be directed to Natural Heritage Director, Tom Smith. Mr. Maroon said that there would be a full report in March.

### **Approval of Minutes from August 7, 2008**

Notations were made to correct the spelling of Mr. Dickinson's name on page four and to include Mr. Ennis in the attendees present.

MOTION: Ms. Glaize moved that the minutes of August 7, 2008 be approved as amended.

SECOND: Senator Ticer

DISCUSSION: None

VOTE: Motion carried unanimously

### **Financial Report**

Mr. Bishton, Finance Director at DCR, gave the financial report. A copy of the report is available from DCR.

As of November 30, 2008 total liabilities and equity for the Virginia Land Conservation Foundation were \$8,587,281.

Mr. Dickinson asked when the vehicle registration funds terminated.

Mr. Dowling, DCR's Director of Planning, Policy and Budget, said that was not clear as it was still outlined in the Appropriations Act.

### **Ongoing Project Status Update**

Ms. Richardson, Land Conservation Coordinator at DCR, gave an update regarding ongoing projects.

Ms. Richardson stated that only one project had closed since the August meeting. The Nature Conservancy acquired land in Lee County in far Southwest Virginia.

Ms. Richardson said that three additional projects should close in the next month.

### **Board Consideration of Project Changes or Extensions**

Ms. Richardson said that at the August meeting the Board granted an extension for the Huntsberry Farm project by the Shenandoah Battlefields Association. The August action was as follows:

Motion from August 7, 2008: Mr. Dickinson moved that the VLCF Board extend the grant to the Shenandoah Valley Battlefields Foundation for the Huntsberry Farm Project until January 7, 2009, provided that the Foundation submits a progress report to the Chairman by November 1, 2008 that will demonstrate substantial progress has been made on utilizing the grant in the form of a landowner purchase option and a detailed funding plan for the required matching funds. The Board also urges the Foundation before it agrees to a purchase price to obtain a current appraisal of the market value of the property. Should the November 1st report not show satisfactory process as determined by the Chairman, the Board authorizes staff to move forward toward applying the \$1,000,000 to other priority applications in this category during the new grant round. The Board will take final action on this matter at their January 7, 2009 meeting.

Ms. Richardson said that staff had received an update showing substantial progress. The Foundation has satisfied the Board's requirements. She introduced Dr. Irvin S. Herr to speak on behalf of the Foundation.

Dr. Herr said that he was an orthopedic surgeon and that he serves as Chairman of the Shenandoah Battlefields Association. He thanked the Board for their work protecting resources. He said that the land in question was the third Winchester battlefield from the Civil War. He noted that the property was contiguous to land already owned by the Foundation. He said that this land was the site of one of 45 battles that changed the course of the nation. He said that this was a win for historic preservation and land conservation efforts.

Dr. Herr said that the Foundation had a little over \$500,000 to raise. He noted that the Foundation was prepared to borrow the funds if necessary to complete the project. Dr. Herr said the request was that the project be extended until the date of closure or for at least an additional six months.

Secretary Bryant said that he had been following the project and had seen the progress reports. He asked if there were questions.

Senator Ticer asked about the May 1<sup>st</sup> projected closing date.

Ms. Richardson said that extending the project for a year to January 2010 would allow a buffer of time to complete the necessary work.

Mr. Ennis asked if there was a contract or an option on the property.

Dr. Herr said there is a purchase contract with the landowner.

MOTION: Mr. Ennis moved that the Board approve the extension of Shenandoah Valley Battlefield Foundation's Huntsberry Farm Acquisition project from FY2006 for one year until January, 2010.

SECOND: Ms. Glaize

DISCUSSION: Mr. Dickinson asked about the source of the \$1.6 million from the Civil War trust.

Dr. Herr said that would be contingent upon federal appropriations. He said the money has been appropriated to the American Battlefield Protection Program of the National Park Service. He said the question would be whether that would be allocated to the Civil War Preservation Trust. He said his understanding was that the project was viewed favorably.

VOTE: Motion carried unanimously.

Ms. Richardson addressed two projects of The Nature Conservancy in Southwest Virginia.

Ms. Richardson said that two TNC projects were awarded in 2006. One project (Cedars/Fletcher Ford) closed, leaving \$33,157.08 available. She said the recommendation was that this balance be transferred to the other project (Clinch River/Pinnacle) to purchase 28 acres. It was DCR's understanding that the Clinch River project was withdrawn, however, a misunderstanding caused the applicant to continue to work on the acquisition after VLCF closed out the project and transferred the monies to a subsequent grant round. Therefore, staff is recommending this transfer of available funds.

MOTION: Senator Ticer moved that the remaining \$33,157.08 from the Cedars/Fletcher Ford project be transferred to the Clinch River/Pinnacle project for the purchase of an additional 28 acres.

SECOND: Secretary Bloxom

DISCUSSION: None

VOTE: Motion carried unanimously

### **Presentation of Grant Overview and Presentation of Grant Projects for Authorization**

Ms. Richardson gave an overview of the scoring process and criteria. She noted that a copy of the grant manual which includes the scoring criteria was provided in member packets.

Mr. Dowling reviewed the expenditure plan. A copy of the plan is available from DCR. Amounts were reserved in the following categories:

VOF	1,099,468
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Open Spaces and Parks	1,193,760
Natural Area Protection	1,103,967
Historic Area Preservation	955,651
Farmland and Forest Preservation	1,057,567
<b>TOTAL</b>	<b>5,410,413</b>

A copy of the complete funding plan is available from DCR.

Mr. Dowling said this was basically the funding plan the Board authorized in August.

Mr. Weed asked if any of the projects would be affected by the contingency aspects of the funding.

Mr. Dowling said there could be issues associated with that. He said the project agreements would be very clear that funds would be contingent upon continued funding.

#### *Overview of grant round*

Ms. Richardson gave an overview of the current grant round. She said that 22 applications were received and noted that the spreadsheet mailed to members showed the projects and funding requests. A copy of that spreadsheet is available from DCR.

The following projects were presented:

#### *Farmlands and Forest Preservation*

Rob Farrell from the Department of Forestry presented the following project recommendations:

##### Virginia Department of Forestry – Feedstone Hunt Club

Funding is requested to purchase a conservation easement on 1,072 acres of forestland owned by the Feedstone Hunt Club in western Rockingham County. This property represents a significant inholding within the George Washington National Forest and its protection will provide for an unbroken expanse of managed forestland. This easement will protect the supply and quality of drinking water for the City of Harrisonburg and for the County. Five natural heritage resources have been identified on this property and it contains several areas of oak/heath forest.

**Total Project Cost:** \$689,038. Match will be provided by a bargain sale from the landowner. **VLCF Request:** \$275,615.

Mr. Ennis said the packet of information referred to a bargain sale and asked what represented a bargain sale.

Mr. Farrell said that the dollar value of the easement is the total project cost. The property owner is donating 60 percent of the value of the easement and associated costs.

Mr. Dickinson asked how old was the appraisal?



Ms. Richardson said that by the time the transaction is closed, there will be a new appraisal.

Kevin Schmidt from VDACS presented the following projects:

Northampton County – Richardson Purchase of Development Rights

The grant request is for the purchase of a conservation easement on 268 acres in Northampton County. This would be the first easement purchase made by the Northampton County Purchase of Development Rights (PDR) program. This property, which the Richardson family has been farming since 1945, contains 104 acres of prime farmland soils, as well as 82 acres of forested migratory bird habitat and another 82 acres of marsh and wetland habitat. The entire property is in a Natural Heritage Resource Conservation Site, and also provides a forested buffer to more than 10,000 linear feet along Mill Creek and a marsh on Magothy Bay.

**Total Project Cost:** \$1,009,000. Match: \$500,000 NRCS Farm and Ranchland Protection program, \$100,000 Virginia Outdoors Foundation Preservation Trust Fund grant, \$90,000 Northampton County PDR funds, \$45,000 Virginia Department of Agriculture and Consumer Services PDR matching funds, and \$30,000 Northampton County Conservation Mitigation Funds. **VLCF Grant Request:** \$250,000.

Clarke County Conservation Easement Authority – Koon Dairy Farm

The grant request is for the purchase of a conservation easement on 216 acres of farmland in Clarke County. This property is a working dairy farm, containing approximately 175 acres of open land for hay, crop and pasture, and another 40 acres of woodland. The farm also includes 2,800 feet of frontage on Opequon Creek, an EPA designated impaired waterway. The family has worked with the Lord Fairfax Soil and Water Conservation District to implement Best Management Practices on the property, including a nutrient management plan, no-till planting, winter small grain cover crops and a woodland buffer filter. The property also has a home from 1910, which was determined by the Clarke County Historic Preservation Commission to be eligible for the National Register.

**Total Project Cost:** \$1,169,200. Match: cash from county \$145,299, landowner donation \$292,300, NRCS Farm and Ranchland Protection program, \$585,601. **VLCF Grant Request:** \$146,000.

Mr. Farrell from DOF presented the following project:

Department of Game and Inland Fisheries – Big Woods

Funding is requested to acquire 610 acres of the Big Woods tract in Sussex County from the Nature Conservancy. The DGIF intends to establish a new wildlife management area in this region. The DGIF has secured \$550,000 in grant funds for this parcel because of its value to the long-term recovery of the Federally endangered red-cockaded woodpecker, found on the Conservancy's adjacent 2,700 acre Piney Grove Preserve. Acquisition of the property will provide for sustainable wildlife and forest management and public access.

**Total Project Cost:** \$1,100,000. Match will come from a Recovery Land Acquisition grant. **VLCF Request:** \$550,000.

Mr. Schmidt from VDACS presented the following project:

**Fauquier County Purchase of Development Rights (PDR) Program – Frank C. Ott Farm**

The grant request is for the purchase of a conservation easement on approximately 280 acres of farmland in Fauquier County, which will create a contiguous block of nearly 900 acres of preserved farmland. This 4<sup>th</sup> generation working farm grows hay, soybeans, and corn. The Ott family has a soil conservation plan approved by the local Soil and Water Conservation District, and implementation practices include cover crops, minimum tillage, and a nutrient management plan. The family also plans to fence out streams and provide alternative watering facilities.

**Total Project Cost:** \$396,800. Match: \$198,400 in cash. **VLCF Grant Request:** \$198,400.

Ms. Richardson said there were three additional project requests in the Farm and Forest Land category, but not enough funding to be able to make grants to them.

Mr. Dickinson asked if the vote could be taken by category.

Secretary Bryant said the concern about breaking up the block of recommendations was that funds were allocated by category.

Mr. Maroon said that the projects had been traditionally approved as a block. He noted that some projects come from multiple categories. Not approving a project in one category would have repercussion for other projects.

Ms. Bourne expressed a concern over approving the recommended projects in the current economy. She said that she was concerned about whether these projects should receive funding in the current situation.

Secretary Bryant suggested that all projects be presented before the Board took action on funding recommendations.

*Historic Areas Preservation*

Elizabeth Tune from the Department of Historic Resources presented the following four project recommendations in the category of Historic Area Preservation.

**The City of Virginia Beach – Adam Thoroughgood House**

Funding is requested for reimbursement of the 2007 purchase of a 2.5-acre parcel of land adjacent to the Adam Thoroughgood House property, which is a National Historic Landmark as it is one of the earliest documented structures in the nation. The subject property, currently undeveloped, holds the potential for significant archaeological resources and would be available for light passive recreational use.

**Total Project Cost:** \$850,000. Match: \$425,000 in cash. **VLCF Grant Request:** \$425,000.

Mr. Weed asked what the Board would be facilitating by giving funds to the City.

Ms. Tune said the land would go into the City's open space program.

Ms. Bourne asked if there was already a conservation easement on the property.

Ms. Tune said not on the recommended 2.5 acres.

Mr. Dickinson asked what the City would do if this funding was not approved.

Mr. Brian Solis, Senior Planner with the Virginia Beach Parks and Recreation Department, said that this funding would prevent future City Councils from selling the land or allowing some other type of inconsistent use.

Ms. Bourne asked why the City did not put a conservation easement on the land.

Mr. Solis said that he thought this would be consistent with the other easements on the property.

Mr. Dickinson said he was concerned about the precedent this would set for other communities.

Mr. Maroon said that he would not be concerned about a precedent. He said a number of localities were realizing that land was not protected from future decisions.

Ms. Bourne noted that many localities were developing long term conservation plans. She expressed a concern that a local ordinance was not already in place.

Ms. Richardson noted that a local ordinance could be repealed, while an easement could not.

Mr. Hocker said that it was not accurate to say that a conservation easement could prevent future development. He said that this was not an irrevocable position.

Ms. Richardson noted that this easement would be held by the public body under the Open Space Lands Act. She said that this was a different statute than that applied to land trusts.

Mr. Weed clarified that this grant would purchase the property and not just the easement.

Ms. Bourne asked the difference between the cost of the easement and the purchase of the property.

Senator Ticer said that while the current City Council may consider themselves to be conservationists, that may not always be the case.

Secretary Bryant said that the question remained that if the City bought the property for the purpose of preserving it, why would they not do so?

Mr. Ennis said that it appeared that the Board did not have the background on the decisions made regarding the property but said that he thought the City put their best foot forward with this approach.

Mr. Weed said that this would not preserve a great deal of land.

Ms. Glaize said that in some locations there was not a great deal of land available to be preserved.

Mr. Weed asked if the Board would basically be paying the City to do the right thing.

Ms. Richardson said that it would be difficult to expect a locality to wait for a grant round to purchase land. She said that the City had done the right thing by making sure they owned the land.

Mr. Graham said that the Board would not be having the same discussion had The Nature Conservancy made the same purchase. He said that the City did the right thing and moved when they had to.

Mr. Dickinson said that he was concerned about the match.

Ms. Tune continued with the review of the recommended projects.

**The Archaeological Conservancy – Pamplin Pipe Factory**

Funding is requested for purchase of the 2.96-acre Pamplin Pipe Factory property, which is listed in the Virginia Landmarks Register and National Register of Historic Places for the archaeological remains of two centuries of clay pipe manufacturing. Following acquisition, the property would be placed under a historic preservation easement with the Department of Historic Resources. Ownership would be transferred to the Appomattox Historical Society; the property would be open as a museum and the three existing structures would be interpreted for their importance in the industrial and cultural history of Virginia.

**Total Project Cost:** \$122,000. Match: \$42,000 in cash and \$19,000 in real property donation. **VLCF Grant Request:** \$61,000.

**Mathews County Land Conservancy – B. Williams and Co. Store**

Funding is requested to acquire the 1-acre B. Williams and Co. Store property. The property, which is eligible for individual listing in the Virginia Landmarks Register, is adjacent to the 4-acre Williams Wharf in Mathews. Upon acquisition, the Mathews County Land Conservancy will combine the two properties for use as a museum. The B. Williams and Co. Store property would be placed under easement following acquisition; the current property owner has consented to its sale.

**Total Project Cost:** \$690,000. Match: \$345,000 from the William F. and Catherine K. Owens Foundation. **VLCF Grant Request:** \$345,000.

**Clarke County Easement Authority – Cool Spring Farm**

A grant is requested to purchase an easement on the 204-acre Cool Spring Farm property, which is within the Shenandoah Valley National Historic District and Cool Spring Civil War Battlefield Historic District, which is listed in the Virginia Landmarks Register and the National Register of Historic Places. The property, owned by the Community of Cistercians, includes a historic farm house and 204 acres of farmland, 111 acres of which is designated as prime soil. The monks have worked with the Natural Resource Conservation Service to implement BMPs and develop a nutrient management plan.

**Total Project Cost:** \$804,300. Match: \$125,000 cash from the county, 25% donation from property owner, and Farm and Ranchland Protection funds. **VLCF Grant Request:** \$123,625.

At this time the Board recessed for lunch.

Following lunch, Tom Smith, Director of the Division of Natural Heritage at the Department of Conservation and Recreation, continued with the presentation of recommended projects.

#### *Natural Area Protection*

##### Northern Virginia Conservation Trust – Crow’s Nest Phase II

A proposal for the fee simple acquisition by the Department of Conservation and Recreation of 1,100 acres as an addition to the 1,770 acre Crow’s Nest Natural Area Preserve. The site supports five significant natural communities, including a globally rare Coastal Plain Dry Calcareous Forest (G1) and Tidal Hardwood Swamp (G3).

**Total Project Cost: \$16,200,000.** VLCF funds will be matched with funds from multiple sources. **VLCF request: \$800,000.**

##### The Nature Conservancy – Unthanks Cave Natural Area Preserve, Cridlin Tract addition

A proposal for the fee simple acquisition by The Nature Conservancy of 140 acres to be added to the Unthanks Cave NAP and transferred at a later date to DCR. Site supports three globally rare cave communities and three globally rare cave invertebrates, a sinking stream that feeds directly into the cave, and is part of one of Virginia’s most significant cave systems.

**Total Project Cost: \$301,000.** VLCF funds will be matched with USF&WS Powell River Watershed funds. **VLCF request: \$150,500.**

##### The Nature Conservancy – Dragon Run – Milby Tract

A proposal for The Nature Conservancy to purchase a 210-acre conservation easement from the Conservation Fund after CF purchases fee simple interest from the Milby family by April 2009. This globally significant site supports three significant natural communities including a globally rare (G2) tidal bald cypress forest/woodland and three rare species.

**Total Project Cost: \$800,000.** VLCF funds will be matched by a 550-acre TNC fee simple acquisition which TNC will hold and manage and further protect by an easement. **VLCF request: \$200,000.**

#### *Open Spaces and Parks Category*

John Davy, Director of the Division of Planning and Recreation Resources at the Department of Conservation and Recreation presented the recommended projects in the Open Spaces and Parks Category.

##### Northern Virginia Regional Park Authority – White’s Ford Regional Park

Proposal is for acquisition of 275 acres of land on the Potomac River in Loudoun County for development into a public park. Approximately 150 acres in upland is currently being used for grazing, the remaining 125 acres of floodplain is planted in crops. The property contains a Civil-War era historic house and complex. The riverfront and a tributary on the property are surrounded by wooded buffers. Development of the property into a public park will provide a public boat launch and related concessions, equestrian and nature trails, picnic shelters, camping, historic interpretation of the area, visitor center and other park amenities.

**Total Project Cost:** \$2,800,000. Match: \$2,650,000 in cash. **Grant Request:** \$150,000.

Chesterfield County – Appomattox River Park

Proposal is for the fee simple acquisition of 80 acres along the Appomattox River for development as a new county linear park. The property is adjacent to the county's Appomattox River canoe launch and is part of the Lower Appomattox corridor. The corridor, which extends west from Petersburg six miles to the Brasfield Dam in Matoaca, is rich with historic, cultural, and natural resources for the tri-cities area. Part of the development of the park will include interpretation of these features. Acquisition of the property and subsequent development of the park will allow for increased access to the river for fishing, development of trails and other recreation opportunities.

**Total Project Cost:** \$560,000. Match: \$180,000 in cash, \$100,000 real-property donation. **Grant Request:** \$280,000.

Wildlife Foundation of Virginia – Short Hills

Acquisition of 3,682 acres located in Rockbridge and Botetourt Counties for development of a Wildlife Management Area. Located within the property is Cedar Creek, a state impaired water, which can support both freshwater fishing (native brook trout) and bank swimming opportunities. Also located on the property is Broad Creek, a tributary of the Maury River. The property will be open to the public for recreation. Currently, the Short Hills property is owned by Short Hills, LLC, which has created a 56-lot subdivision plan for the property and filed the plan with Rockbridge County for approval. Should the property not be protected, Short Hills, LLC, will proceed with development plans.

**Total Project Cost:** \$10,739,500. Match: cash and real-property donation. **Grant Request:** \$239,500.

Appalachian Trail Conservancy – Nelson Tract

Proposal is for fee-simple acquisition of 177 acres to expand a narrow corridor for the Appalachian Trail (AT) between Route 610 and Walker Mountain within the George Jefferson National Forest in Smyth and Bland Counties. One hundred seven acres of the Nelson tract have been actively grazed for the last ten years; the remaining seventy acres are forested. A portion of the 177-acre parcel has a right-of-way easement on it for the AT, which is located in a corridor approximately 100 feet wide between two farm tracts owned by absentee owners. The acquisition will help ensure the scenic value of the AT.

**Total Project Cost:** \$300,000. Match: \$150,000 in cash. **Grant Request:** \$150,000.

Mr. Dowling noted that there were projects that were being recommended for funding from more than one category.

Mr. Dickinson asked about the Lynchburg project and whether it was owned by the City. The project is from a non-profit foundation.

Mr. Davy said that in that particular project the request was to help retire the debt.

#### *Public Comment from Grant Applicants*

Secretary Bryant opened up the public comment time for those wishing to speak with regard to a project.

Mr. Sheridan, Director of the Meadowview Biological Research Station questioned whether the location of the station within five miles of two state preserves could be reconsidered in the scoring. He also addressed the potential for conversion. Mr. Sheridan said that the second category for the project was natural resources and that was not included in the scoring. He said there were a number of rare plant elements associated with the property.

Tim Ulsaker from the Mathews County Land Conservancy said that the conservancy was not connected directly to the county, but is a group of local volunteer citizens. He said that the property in consideration was Williams Wharf which has been a point of entry for the county since the 1600s. The B. Williams Store, which is the original store for the community, is on a 270-degree peninsula in the Rappahannock River. He noted that most of the waterfront property in Matthews County is privately held, and this project, combined with a neighboring project previously funded by VLCF, would provide five acres of public access.

Ms. Davis noted that water access is a major issue for Matthews County.

Dr. Herr rose to speak in support of the Cool Springs Farm in Clarke County, which he said that he had not known was going to be addressed. He said this property, which was studied by the National Park Service in 1992, was a significant battlefield property and that many artifacts were preserved at the associated monastery.

#### **Board Discussion and Approval of Grant Awards**

Secretary Bryant said that the Board could address the projects in a voting block, with the exception of White's Ford in the Open Space category. Mr. Dickinson would need to abstain from that vote.

Senator Ticer asked about the rescoring of the Meadowview Biological Research Station.

Mr. Farrell said that in reviewing the application, the inclusion of a DGIF game lake nearby was overlooked. He said that would add an additional 5 pts. to the score. He said that adding an additional five points would not change the project rankings in this category.

Mr. Sheridan asked about additional consideration for the potential for conservation.

Mr. Farrell said that each county's score was broken down into high, medium and low for development threats. He said that Sussex County was third on that list. He said there were no points awarded for remaining forest cover.

Mr. Maroon said that he wanted to clarify that there were 22 project submissions, but only enough funding for 16. He said, that did not mean that the other 6 projects were not worthy, but there were not enough funds.

Mr. Dickinson asked about moving projects between categories.

Mr. Maroon said that only applied if the project had value in another project category.

Ms. Bourne noted that in the Farmland category both the Koon and Ott properties already have rural zoning and conservation practices. She said that the Board would not be changing the land practice, but would be purchasing conservation easements. She asked the wisdom of doing that as opposed to holding the funds and waiting for more deserving projects.

Ms. Richardson said that the funding would ensure permanent protection.

Ms. Bourne said that the development pressure was currently not there for these projects. She said that the funds might be better used elsewhere.

Mr. Weed said that the General Assembly had directed the Board to spend the funds for this purpose.

Ms. Bourne noted that was before the markets crashed.

Mr. Maroon said that if the General Assembly came back and removed funds the projects would have to be adjusted.

Ms. Bourne asked that the Virginia Beach project be considered in a separate vote.

Mr. Dickinson said that he would need to abstain from the vote on the White's Ford project.

Secretary Bryant asked the Virginia Beach representative to make any additional comments.

Mr. Solis said that the City followed the rules and submitted the application in good faith. He said the City acquired the property when it was under threat of development. He said if there were issues where the City did not meet the criteria they would like to address them.

Senator Ticer noted that he said that the City moved because of the opportunity as well as the threat of development.

Mr. Solis said that was correct and that this was the last undeveloped waterfront property in that subdivision. He said the property was under contract in the peak of the 2005 development. He said this was part of the Bayside History Trail that connects City properties.



Mr. Graham asked if the money was for the purchase of the land or the easement.

Ms. Richardson said that this would be a reimbursement for the acquisition. She said that there would be an easement but that the money would go to the City's open space fund for future land-protection projects in the City.

Mr. Ennis said that the City of Virginia Beach had a longstanding support of conservation easements.

Ms. Glaize asked if there was a component for a management plan.

Ms. Tune said that if there is a management plan, the applicant is asked to submit it. However, she noted that was not specific to the application.

Mr. Solis said that the property would be managed with the rest of the Adam Thoroughgood campus and would be preserved in that context.

Ms. Glaize said that the Garden Club of Virginia was very appreciative of the Adam Thoroughgood House.

Secretary Bryant said that the White's Ford and Thoroughgood projects would be taken in a separate vote.

MOTION: Mr. Graham moved that the recommended projects be approved as submitted with the exclusion of the White's Ford and Thoroughgood projects.

SECOND: Mr. Dickinson

DISCUSSION: None

VOTE: Motion carried unanimously

MOTION: Senator Ticer moved that the project for the Northern Virginia Regional Park Authority, White's Ford Regional Park be approved as submitted.

SECOND: Ms. Glaize

DISCUSSION: None

VOTE: Motion carried with Mr. Dickinson abstaining.

MOTION: Secretary Bloxom moved that the Virginia Beach Parks and Recreation, Adam Thoroughgood House easement project be approved as submitted.

SECOND: Mr. Weed

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DISCUSSION: None

VOTE: Motion carried with Mr. Dickinson and Ms. Bourne voting no.

### **Overview of VLCF Biennial Report**

Mr. Dowling gave an overview of the 2007 and 2008 Biennial Report of the Virginia Land Conservation Foundation. A copy of the report is available for download on the DCR website.

#### **HIGHLIGHTS OF THE 2007 AND 2008 BIENNIAL REPORT OF THE VIRGINIA LAND CONSERVATION FOUNDATION**

(With Calendar Year 2007 Land Preservation Tax Credit Conservation Value Summary)

The report before you not only satisfies the biennial reporting requirements for the Foundation and the Department's new annual reporting responsibilities regarding the conservation value of land preservation tax credits, but more importantly, it highlights the benefits and successes of the Foundation's grant program and the value of DCR's land preservation tax credit reviews.

Despite limited and unpredictable funding, the Virginia Land Conservation Foundation program has contributed to the Commonwealth's conservation efforts through both its grants program and its land preservation tax credit responsibilities. While the report contains pages of interesting updates and statistics regarding the amounts of land preserved in the Commonwealth, the status of the grant projects, and an overview of the conservation values of the lands protected during 2007 under the land preservation tax credit program, I want to primarily focus on the benefits and successes of these programs.

#### **Grant program overview:**

- The Virginia Land Conservation Foundation (Foundation) serves an important land conservation mission in the Commonwealth and contributes towards the 2010 Bay preservation goal as well as the Governor's 400,000-acre goal.
- It leverages limited state funds through matching grants and partnerships to protect working farms and forests, historic lands, open space and parks, and natural areas. For example, in the June 2007 grant round, \$6.2 million in grants leveraged an additional \$18.7 million in match.
- The Foundation's distinctive features include requirements for public utilization and access on most properties conserved with Foundation monies, cross-cutting grant review criteria to maximize conservation values of funded projects, an inter-agency staff review team that involves expertise from multiple state agencies, and a final review by a unique Board of Trustees whose membership includes appointees from the Governor, Speaker of the House of Delegates, and the Senate of Virginia.

- The public access requirement helps to address the public's growing desire for publicly available lands and is a significant difference between VLCF and conservation easements or purchase of development rights (PDR) programs which do not generally allow for public utilization.
- Total funds appropriated to the Foundation have exceeded \$40.5 million since FY2000. Of this amount, approximately \$26.3 million has been allocated to VLCF matching grant program with an additional \$4.3 million pending distribution at today's Board meeting. In accordance with state law, an additional \$8.8 million has been allocated to the Virginia Outdoors Foundation.
- Since first receiving funding in FY2000, the Foundation has held five grant rounds with a sixth scheduled for January 7, 2009. As part of the six grant rounds, the Foundation received 189 applications requesting approximately \$87.4 million in state funding, or twice the available amount. To date, the Foundation in the first five rounds awarded funding to 84 of the 189 grant projects.
- To date, state funding to the Foundation has been leveraged to help protect over 55,000 acres across Virginia. This includes an estimated 30,697 acres from direct Foundation matching grants and 24,476 additional acres that have been protected through the Foundation funds transferred to the Virginia Outdoors Foundation.
- The awards made by this Foundation have had an impact across the Commonwealth and represent projects that provide for the protection or preservation of working farms and forests, natural, cultural, and historical resources, parks and other lands for recreational purposes, and lands for threatened and endangered species, fish and wildlife habitat, natural areas, and open space as well as protect water quality in many cases.
- The report also highlights the database and mapping tools developed on behalf of the Foundation for the conservation community and the Foundation's use, as well as the 2007 Virginia Outdoors Plan that contains a significant amount of land conservation information and recommendations.

#### **Land Preservation Tax Credit program overview:**

- DCR's review of Land Preservation Tax Credits, instituted during this reporting period, has been both responsive and timely and has served as an important oversight tool for the Commonwealth to ensure that the lands protected for which a tax credit is issued of \$1 million or more have significant conservation value and that the natural and historical resources they contain will be adequately protected in perpetuity.
- DCR's review of tax credit applications ensured, where applicable, that the deeds required a forest management plan, that the public had visual access to scenic resources, that conservation plan on farmlands would be developed and implemented, that riparian buffer areas to protect water quality were established, that resources listed on the Virginia

Landmarks Register or the National Register of Historic Places were protected from demolition and alteration, and that known natural heritage resources documented to occur on the donated land were protected.

- Additionally, the deeds were also often refined during DCR's review to specify building envelopes, amount of the site that may be developed, number of future divisions of the property, limitations on roads and the placement of utilities, and limitations on the disturbance of buffers around perennial streams and other specified waterbodies. Such alterations to the deeds significantly improved the quality of the donations made under the tax credit program.
- The Virginia Department of Taxation's records indicate that as of December 15, 2008, 399,078 acres, appraised at slightly over \$1.9 billion, had been protected through 1,952 donations represented by \$907.2 million in tax credits. DCR's review of the conservation value of applications has served as an important tool utilized by the Commonwealth the last two years to ensure that the lands protected for which a tax credit is issued of \$1 million or more are worthy of protection and that the natural and historical resources they contain are properly protected.
- In 2007, DCR reviewed and commented on the conservation value associated with 18 LPTC applications. Of the 18 reviews, 14 final applications were filed requesting over \$28 million in LPTC for 5,638 acres. Three other final applications were filed in early 2008 and therefore eligible to receive LPTC in calendar year 2008. In addition, one applicant chose not to undertake the pre-filing review and submitted a final application, for a total of 15 donations actually filed in 2007. These 15 donations represented nearly 6% of total applications (254 applications) and 9.5% of the LPTC acres preserved, but over 28% of the total LPTC credits claimed in 2007.

#### **Land Preservation Highlights:**

- The Conservation Lands Database reports that as of June 30, 2008, a total of 3,480,807.25 acres across Virginia have been preserved by federal, state, and local governments and private conservation organizations. This indicates that about 13.77 percent of the Commonwealth's total land is currently protected. In Virginia's portion of the Chesapeake Bay Watershed, a total of 2,476,096.83 acres of land or about 17.90 percent has been protected.
- Meeting Virginia's land conservation targets will be challenging. The 20% Bay goal requires the conservation of 290,281.17 acres by 2010 or 145,141 acres per year between FY09 – FY10 (2 years).
- Progress towards the Governor's goal has been steady. In FY07, the Commonwealth preserved 94,201.09 acres towards the goal, and another 89,283.23 acres were protected in

FY08. A total of 280,501 acres had been preserved towards the goal as of November 30, 2008, leaving a balance of 119,499 acres to be conserved before the end of the Governor's term.

### **Update on 2008 Land Preservation Tax Credits**

Mr. Stone, a Land Conservation Analyst at DCR, gave an update on the 2008 Land Preservation Tax Credits.

### **Land Preservation Tax Credits Conservation Value Review: 2008 Preliminary Report**

#### **Key Points**

- The number of LPTC applications submitted to DCR in 2008 was over twice the number submitted in 2007.
- The \$102 million cap on LPTC for 2008 was reached on December 29, 2008.
- DCR reviewed \$41 million of the \$102 million LPTC claimed in 2008.
- In 2007, DCR reviewed 15 of the 254 known donations filed. Represents 6% of applications but 28% of total credits claimed.
- In 2008, DCR reviewed 21 of the ~220 known donations filed. This represents ~10% of applications but 40% of total credits claimed.
- Law allows 90 days for DCR final review.
- In 2007 DCR took on average 22 days for pre-filing and 7 days for final verification.
- In 2008 DCR took on average 31 days for pre-filing and 14 days for final verification.

#### **DCR Review Process**

- Potential applicants are strongly encouraged to request an optional pre-filing review.
- Offers opportunity to correct deficiencies before deed is recorded.
- Components of DCR review
  - Conduct site visit
  - Research state & federal databases/maps to ensure deed protects previously documented resources
  - Review deed to ensure Criteria restrictions are included
  - Discuss any issues with applicant or representative
  - Send pre-filing comment letter or final verification letter

#### **INCREASE IN APPLICATIONS SUBMITTED**

- There was a sharp increase in the number of applicants requesting \$1 million or more in LPTC in 2008
  - In 2007 DCR received 18 requests for a Pre-Filing Review.
  - In 2008 DCR received 40 requests for a Pre-Filing Review.

#### **DCR REVIEWED LARGER PERCENTAGE IN 2008**

- As a result DCR reviewed a larger % of the LPTC applications in 2008 than in 2007.
  - In 2008 DCR reviewed 40% of LPTC, based on credit claimed as opposed to 25% in 2007.

### **NUMBER OF APPLICATIONS and NUMBER OF ACRES**

- While there was sharp increase in the applications requesting \$1 million or more, there was a slight decrease in applications overall:
  - ~220 tax credit applications were filed for the \$102 million available in 2008.
- However, the total number of acres protected by the credit remained the same:
  - Amount of acreage for which tax credits were applied is ~59,500, about the same as 2007.

### **FEEDBACK PROVIDED**

- DCR was able to provide feedback to every applicant prior to the end of the year.
  - 2 applicants were unable to resolve issues identified by DCR in time to receive a comment letter indicating there were no outstanding issues with their proposed donation.

### **REVIEW TIME**

- As a result of an increase in applications and an increase in the feedback provided to applicants DCR's review time increased slightly in 2008.
  - In 2007 DCR's average time for a pre-filing review was 22 days.
  - In 2008 DCR's average time for a pre-filing review was 31 days.
- Based on experience gained in 2007 DCR staff spent more time working with applicants to ensure that all issues were resolved in advance of DCR issuing a comment letter.
- The average review time for a final application in 2008 was 14 days as opposed to 7 days in 2007.
  - This increase in review time was a result of increased volume, which DCR addressed by dedicating additional staff to assist with the review process.
  - This is also due to an increase in receipt of final applications that did not participate in the pre-filing review process.

### **LOCATIONS OF PROPOSED DONATIONS**

- The 40 applications came from wide geographic area.
- To preserve taxpayer confidentiality this is shown by region:
  - Northern 17 applications
  - Central 13 applications
  - Coastal 7 applications
  - Valley 2 applications
  - Mountain 1 application

### **ACTUAL DONATIONS**

- Of the 40 reviews conducted, 21 applicants submitted their final applications in time to request a portion of the 2008 cap.
  - DCR anticipates receiving the remaining applications in the first few months of 2009 since all but one have completed the pre-filing review process.
- These 21 donations:
  - Totaled 12,753-acres
  - Averaged 607-acres
    - The largest single donation was ~3,000-acres
    - The smallest was less than 10-acres.
  - Requested \$41,077,720

## WIDE RANGE OF CONSERVATION PURPOSES

- Every Conservation Purpose defined by the VLCF Criteria is represented multiple times in the donations made in 2008.
  1. Agricultural Use
  2. Forestal Use
  3. Natural Habitat and Biological Diversity
  4. Historic Preservation
  5. Natural-Resource Based Outdoor Recreation or Education
  6. Watershed Preservation
  7. Preservation of Scenic Open Space
  8. Conservation and Open Space Lands Designated by Local Governments

## EXAMPLES OF CONSERVATION PURPOSES

**Agricultural Use:** More than 300-acres in active agricultural production in Northern Virginia which the locality has designated as agricultural land for use value assessment.

**Forestal Use:** 3,000-acres which is actively managed for timber production.

**Natural-Resource Based Outdoor Recreation or Education:** More than 1,000 acres of land visible from a scenic byway with deeded public access for passive recreation OR land adjacent to a public high school with deeded access for students, faculty, and the general public for the purpose of environmental education.

## 2008 DCR Review Results

- Background: Reached \$ 102 M cap on December 29, 2008.
- DCR reviewed less than 10% of all applications (21 out of 220)
  - Represents \$ 41 M in state tax credits on 12,750 acres.
  - More than twice the number of high dollar donations over \$ 2.5 M as 2007; suggests that interest remains high.
- DCR conducted preliminary and final reviews and issued consistency letters to 38 of the 40 applications.

- One applicant who failed to submit a pre-filing application has yet to resolve outstanding issues with both TAX and DCR.
- 24 of the 40 applicants are known to have recorded their deed or easement in 2008. (Several failed to submit their application before the \$102 cap was depleted.)
- DCR's average review time for a pre-filing review was 31 business days and final review time was about 14 days. (State law allows 90 days)
- Changes to deeds included:
  - Requiring basic limitations on development where the deed omitted them.
  - Requiring a forest management plan.
  - Requiring water quality buffers.
  - Protecting resources previously listed as National or State Historic Landmarks from demolition and alteration.
  - Requiring protection of sensitive resources documented in state databases.
- Specific examples of the added value of DCR's Review:
  - As originally submitted to DCR, several applicants would have allowed almost unlimited development of the property with buildings under the terms of the proposed easement.
  - Several allowed unlimited subdivision.
  - Others failed to place a limit on the location of buildings.
  - One applicant explicitly allowed development of greater than 10% of the property.

As a result of DCR review these applicants had to bring their donations in line with VLCF Criteria.

## **BENEFIT OF DCR REVIEW**

DCR's review ensures that safeguards exist in deed to:

- Protect conservation values of the land in perpetuity.
- Prohibit intentional destruction or significant alteration of the conservation values of the protected property.
- Assure that conservation value of the property will not be adversely affected by future division or development of the property.
- Ensures consistency in the conservation value of the land transactions claiming over \$ 1 M in state tax credit.
- Provides a check and balance on the quality of the largest easements and land donations.
- Enhances the value of Virginia tax dollars by adding water quality and forest stewardship protections.
- Expectation is for \$ 1 M or more, landowner will conserve their land and provide water quality buffers or use BMPs to reduce stream erosion and runoff, and properly manage forests.

Mr. Maroon said that this had been a developing program. DCR has worked closely with the Virginia Outdoors Foundation.

Mr. Dickinson noted that Mr. Stone had referenced the easements as confidential, but said that easements are a matter of public record.



Mr. Stone said the easement was public record, but the tax status was not.

Mr. Dowling noted that the confidentiality clause regarding tax credit information we receive is contained in the Code.

### **Partner Agency Updates**

#### *Virginia Outdoors Foundation*

Mr. Lee, Executive Director of VOF, said that 2008 was the second-biggest year in the 42-year history of VOF with just shy of 65,000 acres being protected. He said that in 2004 VOF reached the threshold of ¼ million acres, and in 2008 has protected more than half a million acres. VOF has now protected in four years what it previously took 38 years to protect.

Mr. Lee said that VOF is grateful for the partnership with the VLCF.

#### *Department of Agriculture and Consumer Services*

Mr. Schmidt, Coordinator of the Office of Farmland Preservation, said that in December VDACS allocated fiscal year 2009 funds to local PDR programs. \$500,000 was allocated to eleven localities. Easements are still closing from the previous year's funding. Easements have recently closed in Fauquier, Albemarle and Rappahannock Counties.

#### *Department of Forestry*

Mr. Farrell, Assistant Director for Forestland Protection, said that this was the first year the Department of Forestry was able to accept easements. DOF closed 8 easements for just over 1,300 acres. Easements are located in Loudoun, Stafford and Spotsylvania Counties. He said it was good to see some real forested properties in Northern Virginia.

#### *Department of Game and Inland Fisheries*

Mr. Hart, Capital Programs and Facilities Director, said DGIF is closing on a 45-acre track in Frederick County that surrounds Lake Frederick and will extend the buffer to 100 ft.

DGIF is purchasing 177 acres in Highland County.

#### *Department of Historic Resources*

Ms. Tune, Manager of the Office of Preservation Incentives, said that DHR had a very successful year with 465 easements. DHR focused on internal policies and procedures and formalized internal staff procedures for the easement program.

DHR continues to work on the transfer of Fort Monroe back to the state.

The DHR rehabilitation tax credit program for historic structures ranks about 2<sup>nd</sup> in the Country.

**Public Comment**

There was no additional public comment.

**Next Meeting Date**

The next meeting of the Virginia Land Conservation Foundation Board of Trustees will be Friday, March 27, 2009 at 10:00 a.m. in the East Reading Room of the Patrick Henry Building in Richmond.

**Adjourn**

There was no further business and the meeting was adjourned.

Respectfully submitted,

L. Preston Bryant, Jr.  
Chairman

Joseph H. Maroon  
Executive Secretary